

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION
NO. 2:12-CR-00024-BO-1
NO. 2:12-CR-00024-BO-2

UNITED STATES OF AMERICA :
:
v. :
:
PHYLLIS STALLINGS HARRELL :
PAUL LYNN TRUEBLOOD :
:

FINAL ORDER OF FORFEITURE

WHEREAS, on November 14, 2013, this Court entered a Preliminary Order of Forfeiture pursuant to the provisions of 18 U.S.C. § 982(a)(7) and 18 U.S.C. § 981(a)(1)(C), the latter as made applicable herein by virtue of 28 U.S.C. § 2461(c), the following property was forfeited to the United States, to wit:

- a. Contents of Account number ****3206 at East Carolina Bank, estimated value of \$205,514.52, in the name of Phyllis Harrell;
- b. Contents of Account ***-*4486 at Edward Jones, estimated value of \$271,837.19, in the name of Phyllis Harrell;
- c. Contents of Account ***-*3608 at Edward Jones, estimated value of \$75,433.03, in the name of Phyllis Harrell;
- d. Contents of ***-*0382 at Edward Jones, estimated value of \$174,139.57, in the name of Harrell Medical Transport;

e. 2009 Lincoln Navigator L 4x4, 5LMFL28509EJ02016, purchased 9/5/2009, in the name of Harrell Medical Transport;

f. 2005 Ford, F-465 DRW Super Duty Ambulance, 1FDXF46P05EA65283, purchased 3/19/2009, in the name of Harrell Medical Transport;

g. 2002 Ford F-36 Ambulance, 1FDWF36F92EB29085, purchased 6/16/2008 in the name of Harrell Medical Transport;

h. 2008 Ford DRW Super Duty Ambulance, 1FDWF36R68EB78232, purchased 9/1/2012 in the name of Harrell Medical Transport;

i. 2007 Ford Cutaway Ambulance, Diesel, 1FDXE45P97DA38046, purchased 10/21/2010 in the name of Harrell Medical Transport;

j. 2003 GMC C4500 Truck Ambulance, 1GDE4F1113F517504, purchased 9/7/2010 in the name of Harrell Medical Transport;

k. 2001 Ford Cutaway Van Ambulance, 1FDWE35FX1HB76708, purchased 6/21/2007 in the name of Harrell Medical Transport;

l. 2000 Ford E-450 Cutaway Van, 1FDXE45F0YHB54642, purchased 6/30/2008 in the name of Harrell Medical Transport;

m. 2009 Ford Fusion, 4S, 3FAHP08159R137613, purchased 9/13/2010 in the name of Phyllis Harrell;

n. HMT business office located at 049 Muddy Cross Road, Hobbsville, NC; Gates County Deed Book 269, Page 995 and Book 208, Page 359, valued at approximately \$235,759;

o. Contents of Local Government Federal Credit Union (LGFCU) account ***4135 with ending balance of \$18,234.38 as of 10/29/2012;

p. 1989 Kenworth Tractor - Tandem Construction Series bearing serial number 2NKAL29X1KM521708, purchased on 4/13/2009 for \$25,000;

q. Kubota GSTC Cab Tractor (Model L4630GSTC, serial #35112) & loader (Model LA853, serial #31715), purchased 8/9/06 and valued at \$31,670.00;

r. 1997 Ford Ambulance bearing serial #1FDLE40F1VHA99961 purchased 2/11/2005 for \$28,000;

s. Chevrolet Pull Truck, 4 wheel drive, with custom paint job bearing "Harrell Medical Transport" and truck/team name "Run N' Scared", purchased 9/24/09 for \$25,000 and \$11,000;

t. 1 Diamond Ring, 2.02 kt, 4368 BETR purchased 8/13/2008 for \$5,832.50 from Outer Banks Jewelers & Pawn Shop;

u. 28.80 gram, 10 kt and 14 kt mens and ladies YG Fashion Rings; Mens 10 kt YG Fig. Bracelet; Mens 10 kt & 14 kt YG Rope Chains & Fig Chain, purchased 2/12/09 from Greenbrier Pawn for \$860;

v. 4 Miscellaneous Jewelry items valued at \$3,144.75, purchased at Greenbrier Pawn on 11/29/08 identified as 53965B585 (priced at \$1,299), WT00013.585 (priced at \$999.00), 52351-417 (priced at \$1,499), and 52042B-585 (priced at \$279);

w. 2 Miscellaneous Jewelry items valued at \$2,205 purchased at Greenbrier Paw on 2/12/09 identified as 55764-585 (priced at \$1,699) and 54249-750 (priced at \$1,699);

x. Miscellaneous Jewelry item valued at \$891.45 purchased at Greenbrier Pawn on 4/29/09 identified as 60690B-585 (priced at \$1,299);

y. 4 Miscellaneous Jewelry items valued at \$1,312.50 purchased at Greenbrier Pawn on 5/13/09, identified as 62335E-585 (priced at \$199), 57104C-585 (priced at \$999), 67116c585 (priced at \$299), and 59269-585 (priced at \$499);

z. 2 Miscellaneous Jewelry items valued at \$2,152.50 purchased at Greenbrier Pawn on 5/28/09, identified as 59064-585 (priced at \$1,999) and #622-585 (priced at 650);

aa. 3 Miscellaneous Jewelry items valued at \$2,257.50 purchased at Greenbrier Pawn on 5/13/09 identified as 66750D-585 (priced at \$129), 58654C-585 (priced at \$1,199) and 46195-585 (priced at \$1,899);

bb. Multiple rings purchased at Greenbrier Pawn on 5/28/09 valued at \$450, including 14 kt Ladies WG Sapphire & Bagg Diamond Fashion Ring, 3 ladies 8k Fashion Rings, 1 Sapphire & Illus. Diamond, 1 Flower Top & 1 Onyx; 14 Kt ladies YG Marq. Shaped bypass style Bagg & Round Diamond Accents Engagement Ring; 14 Kt 3.40 grams ladies YG Round Diamond Waterfall Style Ring; 14 kt, 14.00 grams, 3 ladies YG Sapphire & Diamond Rings &

1 curved band; 14 Kt, 4.3 gram Men's YG 7 Round Diamond Flower Top Style Ring;

cc. Miscellaneous Jewelry item valued at \$945, purchased on 6/25/09 at Greenbrier Pawn and described as 60690A-585 (priced at \$1,299).

dd. 2 Miscellaneous Jewelry items valued at \$2,413.95, purchased on 6/12/09 at Greenbrier Pawn, identified as 1.50 TCW-585 (priced at \$599.00) and 59830-585 (priced at \$2,499); and

WHEREAS, the United States published notice of this forfeiture at the www.forfeiture.gov web site for at least 30 consecutive days, between June 26, 2014 and July 25, 2014, and between August 21, 2014 and September 19, 2014, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty of Maritime Claims and Asset Forfeiture Actions, and said published notice advised all third parties of their right to petition the court within sixty (60) days from the first day of the publication date for a hearing to adjudicate the validity of their alleged legal interest in the forfeited property; and

WHEREAS, the potential petitioner as to the subject properties in this criminal forfeiture action is VantageSouth Bank; and

WHEREAS, service upon the Contents of Account ****-4486 at Edward Jones, estimated value of \$271,837.19, in the name of

Phyllis Harrell was executed while in the custody of the U. S. Marshal Service on April 30, 2014; and

WHEREAS, service upon the Contents of Account ****-3608 at Edward Jones, estimated value of \$75,433.03, in the name of Phyllis Harrell was executed while in the custody of the U. S. Marshal Service on April 30, 2014; and

WHEREAS, service upon the Contents of ***-0382 at Edward Jones, estimated value of \$174,139.57, in the name of Harrell Medical Transport was executed while in the custody of the U. S. Marshal Service on April 30, 2014; and

WHEREAS, service upon the 2009 Lincoln Navigator L 4x4, 5LMFL28509EJ02016, purchased 9/5/2009, in the name of Harrell Medical Transport was executed while in the custody of the U. S. Marshal Service on April 30, 2014; and

WHEREAS, service upon the 2005 Ford, F-465 DRW Super Duty Ambulance, 1FDXF46P05EA65283, purchased 3/19/2009, in the name of Harrell Medical Transport was executed while in the custody of the U. S. Marshal Service on April 30, 2014; and

WHEREAS, service upon the 2002 Ford F-36 Ambulance, 1FDWF36F92EB29085, purchased 6/16/2008 in the name of Harrell Medical Transport was executed while in the custody of the U. S. Marshal Service on April 30, 2014; and

WHEREAS, service upon the 2008 Ford DRW Super Duty Ambulance, 1FDWF36R68EB78232, purchased 9/1/2012 in the name of

Harrell Medical Transport was executed while in the custody of the U. S. Marshal Service on May 28, 2014; and

WHEREAS, service upon the 2007 Ford Cutaway Ambulance, Diesel, 1FDXE45P97DA38046, purchased 10/21/2010 in the name of Harrell Medical Transport was executed while in the custody of the U. S. Marshal Service on May 28, 2014; and

WHEREAS, service upon the 2003 GMC C4500 Truck Ambulance, 1GDE4F1113F517504, purchased 9/7/2010 in the name of Harrell Medical Transport was executed while in the custody of the U. S. Marshal Service on May 28, 2014; and

WHEREAS, service upon the 2001 Ford Cutaway Van Ambulance, 1FDWE35FX1HB76708, purchased 6/21/2007 in the name of Harrell Medical Transport was executed while in the custody of the U. S. Marshal Service on April 30, 2014; and

WHEREAS, service upon the 2000 Ford E-450 Cutaway Van, 1FDXE45F0YHB54642, purchased 6/30/2008 in the name of Harrell Medical Transport was executed while in the custody of the U. S. Marshal Service on April 30, 2014; and

WHEREAS, service upon the 2009 Ford Fusion, 4S, 3FAHP08159R137613, purchased 9/13/2010 in the name of Phyllis Harrell was executed while in the custody of the U. S. Marshal Service on April 30, 2014; and

WHEREAS, service upon the HMT business office located at 049 Muddy Cross Road, Hobbsville, NC; Gates County Deed Book

269, Page 995 and Book 208, Page 359, valued at approximately \$235,759 was executed by posting of the Preliminary Order of Forfeiture on the property by an agent of the United States Marshal's Service on May 28, 2014; and

WHEREAS, service upon the Contents of Local Government Federal Credit Union (LGFCU) account ***4135 with ending balance of \$18,234.38 as of 10/29/2012 was executed while in the custody of the U. S. Marshal Service on May 15, 2014; and

WHEREAS, on December 12, 2013, a Petition was filed by VantageSouth Bank ("VantageSouth") as to certain property and currency which were listed in the November 14, 2013 Preliminary Order of Forfeiture, and on December 17, 2013, the United States filed a Response to the VantageSouth Petition recognizing the interest of VantageSouth in full; and

WHEREAS, on May 6, 2014, this Court entered an Order allowing Interlocutory Sale of Real Property and Vehicles, on motion by the United States, with good cause shown, and with the consent of the only third-party petitioner, VantageSouth Bank. This Court ordered "that the vehicles and real property which are the subject of the Preliminary Order of Forfeiture shall be sold by the Government in accordance with Fed. R. Crim. P. 32.2(b)(7) and Supplemental Rule G(7). By consent of the parties, the United States Marshal shall sell the property in

the most commercially feasible manner at a price sufficient to pay in full the interest held by petitioner VantageSouth Bank, depositing the net proceeds after payment of the usual and customary expenses of sale and management of the property into an interest-bearing account until entry of the Final Order of Forfeiture. Until then, the net proceeds shall be a substitute res subject to forfeiture in place of the property that was sold." This Order dated May 6, 2014 addresses only the real property located 49 Muddy Cross Road, Hobbsville, NC, and the following vehicles:

- a. 2009 Lincoln Navigator L 4x4, VIN: 5LMFL28509EJ02016
- b. 2005 Ford F-465 Super Duty Ambulance, VIN:
1FDXF46P05EA65283
- c. 2002 Ford F-36 Ambulance, VIN: 1FDWF36F92EB29085
- d. 2008 Ford Super Duty Ambulance, VIN: 1FDWF36R68EB78232
- e. 2007 Ford Cutaway Ambulance, VIN: 1FDXE45P97DA38046
- f. 2003 GMC C4500 Truck Ambulance, VIN: 1GDE4F1113F517504
- g. 2001 Ford Cutaway Van Ambulance, VIN: 1FDWE35FX1HB76708
- h. 2000 Ford E-450 Cutaway Van, VIN: 1FDXE45F0YHB54642
- i. 2009 Ford Fusion, VIN: 3FAHP08159R137613; and

WHEREAS, no other petitions have been filed with respect to any of the above-listed properties; and

WHEREAS, the United States advises the Court that it is declining to proceed to final forfeiture on releasing the following forfeited properties listed in the November 14, 2013 Preliminary Order of Forfeiture, as they are not in custody of the United States, nor are their whereabouts known, to wit:

a. Contents of Account number ****3206 at East Carolina Bank, estimated value of \$205,514.52, in the name of Phyllis Harrell;

b. 1989 Kenworth Tractor - Tandem Construction Series bearing serial number 2NKAL29X1KM521708, purchased on 4/13/2009 for \$25,000;

c. Kubota GSTC Cab Tractor (Model L4630GSTC, serial #35112) & loader (Model LA853, serial #31715), purchased 8/9/06 and valued at \$31,670.00;

d. 1997 Ford Ambulance bearing serial #1FDLE40F1VHA99961 purchased 2/11/2005 for \$28,000;

e. Chevrolet Pull Truck, 4 wheel drive, with custom paint job bearing "Harrell Medical Transport" and truck/team name "Run N' Scared", purchased 9/24/09 for \$25,000 and \$11,000;

f. 1 Diamond Ring, 2.02 kt, 4368 BETR purchased 8/13/2008 for \$5,832,50 from Outer Banks Jewelers & Pawn Shop;

g. 28.80 gram, 10 kt and 14 kt mens and ladies YG Fashion Rings; Mens 10 kt YG Fig. Bracelet; Mens 10 kt & 14 kt YG Rope Chains & Fig Chain, purchased 2/12/09 from Greenbrier

Pawn for \$860;

h. 4 Miscellaneous Jewelry items valued at \$3,144.75, purchased at Greenbrier Pawn on 11/29/08 identified as 53965B585 (priced at \$1,299), WT00013.585 (priced at \$999.00), 52351-417 (priced at \$1,499), and 52042B-585 (priced at \$279);

i. 2 Miscellaneous Jewelry items valued at \$2,205 purchased at Greenbrier Paw on 2/12/09 identified as 55764-585 (priced at \$1,699) and 54249-750 (priced at \$1,699);

j. Miscellaneous Jewelry item valued at \$891.45 purchased at Greenbrier Pawn on 4/29/09 identified as 60690B-585 (priced at \$1,299);

k. 4 Miscellaneous Jewelry items valued at \$1,312.50 purchased at Greenbrier Pawn on 5/13/09, identified as 62335E-585 (priced at \$199), 57104C-585 (priced at \$999), 67116c585 (priced at \$299), and 59269-585 (priced at \$499);

l. 2 Miscellaneous Jewelry items valued at \$2,152.50 purchased at Greenbrier Pawn on 5/28/09, identified as 59064-585 (priced at \$1,999) and #622-585 (priced at 650);

m. 3 Miscellaneous Jewelry items valued at \$2,257.50 purchased at Greenbrier Pawn on 5/13/09 identified as 66750D-585 (priced at \$129), 58654C-585 (priced at \$1,199) and 46195-585 (priced at \$1,899);

n. Multiple rings purchased at Greenbrier Pawn on 5/28/09 valued at \$450, including 14 kt Ladies WG Sapphire & Bagg

Diamond Fashion Ring, 3 ladies 8k Fashion Rings, 1 Sapphire & Illus. Diamond, 1 Flower Top & 1 Onyx; 14 Kt ladies YG Marq. Shaped bypass style Bagg & Round Diamond Accents Engagement Ring; 14 Kt 3.40 grams ladies YG Round Diamond Waterfall Style Ring; 14 kt, 14.00 grams, 3 ladies YG Sapphire & Diamond Rings & 1 curved band; 14 Kt, 4.3 gram Men's YG 7 Round Diamond Flower Top Style Ring;

o. Miscellaneous Jewelry item valued at \$945, purchased on 6/25/09 at Greenbrier Pawn and described as 60690A-585 (priced at \$1,299).

p. 2 Miscellaneous Jewelry items valued at \$2,413.95, purchased on 6/12/09 at Greenbrier Pawn, identified as 1.50 TCW-585 (priced at \$599.00) and 59830-585 (priced at \$2,499); and

WHEREAS, on May 15, 2014, this Court entered Orders directing Defendants Phyllis Stallings Harrell and Paul Lynn Trueblood to make restitution in the amounts of \$1,598,356.91 and \$1,516,644.21, respectively, to victims of their illegal activities for which they pled guilty on November 14, 2013, to be held jointly and severally liable for restitution. All of the net proceeds forfeited, with the exception of satisfying in full the interest held by petitioner VantageSouth Bank as to certain property listed in Para. 20 above, and the payment of ad valorem taxes, shall be used to satisfy, to the extent sufficient, the Orders of Restitution; and

WHEREAS, it appears from the record that no claims, contested or otherwise, have been filed for any of the subject property described in this Court's October 4, 2012 Preliminary Order of Forfeiture, other than those specifically mentioned herein;

It is HEREBY ORDERED, ADJUDGED and DECREED:

1. That the following subject property listed in the November 14, 2013 Preliminary Order of Forfeiture is hereby forfeited to the United States:

b. Contents of Account ***-*4486 at Edward Jones, estimated value of \$271,837.19, in the name of Phyllis Harrell;

c. Contents of Account ***-*3608 at Edward Jones, estimated value of \$75,433.03, in the name of Phyllis Harrell;

d. Contents of ***-*0382 at Edward Jones, estimated value of \$174,139.57, in the name of Harrell Medical Transport;

e. 2009 Lincoln Navigator L 4x4, 5LMFL28509EJ02016, purchased 9/5/2009, in the name of Harrell Medical Transport;

f. 2005 Ford, F-465 DRW Super Duty Ambulance, 1FDXF46P05EA65283, purchased 3/19/2009, in the name of Harrell Medical Transport;

g. 2002 Ford F-36 Ambulance, 1FDWF36F92EB29085, purchased 6/16/2008 in the name of Harrell Medical Transport;

h. 2008 Ford DRW Super Duty Ambulance, 1FDWF36R68EB78232, purchased 9/1/2012 in the name of Harrell Medical Transport;

i. 2007 Ford Cutaway Ambulance, Diesel,
1FDXE45P97DA38046, purchased 10/21/2010 in the name of Harrell
Medical Transport;

j. 2003 GMC C4500 Truck Ambulance, 1GDE4F1113F517504,
purchased 9/7/2010 in the name of Harrell Medical Transport;

k. 2001 Ford Cutaway Van Ambulance, 1FDWE35FX1HB76708,
purchased 6/21/2007 in the name of Harrell Medical Transport;

l. 2000 Ford E-450 Cutaway Van, 1FDXE45F0YHB54642,
purchased 6/30/2008 in the name of Harrell Medical Transport;

m. 2009 Ford Fusion, 4S, 3FAHP08159R137613, purchased
9/13/2010 in the name of Phyllis Harrell;

n. HMT business office located at 049 Muddy Cross Road,
Hobbsville, NC; Gates County Deed Book 269, Page 995 and Book
208, Page 359, valued at approximately \$235,759;

o. Contents of Local Government Federal Credit Union
(LGFCU) account ***4135 with ending balance of \$18,234.38 as of
10/29/2012.

The United States Department of Justice is directed to
dispose of all of the property according to law.

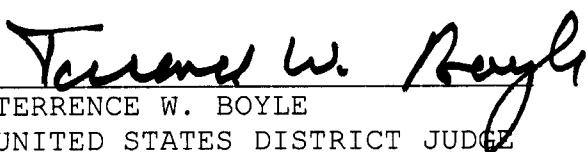
2. That any and all proceeds from the sale of said
properties, with the exception of the amount required to satisfy
in full the interest held by petitioner VantageSouth Bank as to
certain property listed in Para. 20 above, and the payment of ad
valorem taxes, be paid to the Clerk of Court for the Eastern

District of North Carolina for disbursement pursuant to this Court's Orders dated May 15, 2014.

3. That any and all remaining forfeited funds shall be deposited by the United States Department of Justice as soon as located or recovered into the Department of Justice's Assets Forfeiture Fund in accordance with 28 U.S.C. § 524(c) and 21 U.S.C. § 881(e).

The Clerk is hereby directed to send copies of this Order to all counsel of record.

SO ORDERED this 17 day of December 2014.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE